

# **EXHIBIT 1**

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 03/06/2024

On March 6, 2024 Federal Bureau of Investigation (FBI) Washington Field Office (WFO) Special Agent (SA) **FBI 29** and SA **FBI 9** participated in an interview of Gary STERN, General Counsel for the National Archives and Records Administration (NARA). Present for the interview was Assistant Special Counsel (ASC) David Harbach. The interview took place over the telephone with SA **FBI 29**, SA **FBI 9** and ASC Harbach calling from the Special Counsel's Office, and STERN from his office at NARA. After being advised of the identities of the FBI and Special Counsel personnel, and the purpose of the interview, STERN provided the following information:

**[AGENT NOTE:** STERN was emailed a copy of Exhibit 1 by ASC Harbach prior to the interview.]

When asked about his email with the subject of "Draft Letter to AG re Missing Trump Records," specifically the statement, "Also, I have now informally reached out to DOJ counsel about this," STERN stated he did not specifically recall whom at DOJ he was referencing, but that only two offices made sense. The first and most likely was the Federal Programs Branch, and the person STERN most likely contacted was [REDACTED]. If it was not the Federal Programs Branch, the only other DOJ office it could have possibly been was the Office of Legal Counsel (OLC).

STERN stated the timeframe when this email was sent was one in which NARA was actively working with Former President of the United States (FPOTUS) Donald TRUMP's designated Presidential Records Act (PRA) Representatives about missing records from FPOTUS' administration. STERN was in touch with FPOTUS' PRA Representative **Per. 38** [REDACTED] about the missing records. STERN's reference to informally reaching out to DOJ was in response to STERN's boss, the Archivist, stating, "if nothing happens here we'll have to refer to DOJ." This was an effort to affect assistance from DOJ to pursue civil enforcement of the PRA in response to the unauthorized removal of Presidential Records.

When asked whether there was any chance the person he reached out to at DOJ was in the Criminal Division or was a criminal prosecutor, STERN stated,

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Investigation on 03/06/2024 at Washington, District Of Columbia, United States (Phone)

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by **FBI 29, 9**

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[REDACTED]-302

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"absolutely not."

At the conclusion of the interview, STERN did a quick search of his email account but was unable to find any confirmation it was [REDACTED] that STERN had contacted. STERN will check his other records in an attempt to confirm it was [REDACTED]

Original agent notes and a copy of the exhibit will be maintained in the attached 1A.